

## **REMARKS**

Applicants appreciate the Examiner's consideration of their prior response and withdrawal of the prior rejections. Applicants will now address the Examiner's remaining rejections in the order in which they appear in the Office Action.

### **Claim Rejections - 35 USC §112**

In the Office Action, the Examiner rejects Claim 35 under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending Claim 35 to recite "wherein the metal complex represented by the general formula [Formula 2] in the second layer is a guest material and the metal complex represented by the general formula [Formula 2] in the third layer is a host material", in accordance with the Examiner's suggestion.

Accordingly, it is respectfully submitted that this overcomes the Examiner's objection, and it is respectfully requested that this rejection be withdrawn.

### **Claim Rejections - 35 USC §103**

#### **Claims 4-6, 10, 27-34, 36-39**

The Examiner also rejects Claims 4-6, 10, 27-34 and 36-39 under 35 USC §103(a) as being unpatentable over Nakagawa et al. (US 2004/0124766) in view of Shi et al. (US 6,680,132). This rejection is respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 4 and 5 to recite the features of

“wherein said electroluminescence layer comprises a guest material including 4-(dicyanomethylene)-4H-pyran group and a host material containing a complex of a Group 4 metal of the periodic table represented by the general formula [Formula 1].” Hence, this amendment is providing details with regard to the electroluminescence layer.

One of the objects of the present invention is to improve efficiency of energy transmission by applying the complexes of Group 4 metal as a host material and materials such as 4-(dicyanomethylene)-4H-pyran group as a guest material.

Nakagama does not disclose or suggest this claimed feature. Further, while Shi may disclose complexes of Group 4 metal as a host material and a guest material which is a red-emission, Shi does not teach or suggest the effect of applying the complexes of Group 4 metal as a host material when a guest material is a red-emission compound. Accordingly, neither cited reference discloses or suggests the element of independent Claims 4 and 5. For similar reasons, neither reference discloses or suggests the elements of independent Claims 6, 27, 28 and 36.

Accordingly, independent Claims 4-6, 27, 28 and 36 are not disclosed or suggested by the cited references. Therefore, Claims 4-6, 27, 28 and 36, and those claims dependent thereon, are patentable over these references, and it is respectfully requested that this rejection be withdrawn.

#### Claims 11-26

The Examiner also rejects Claims 11-26 under 35 USC §103(a) as being unpatentable over Nakagawa in view of Shi in view of Kim et al. (US 6,614,176). This rejection is also respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claims 11, 12, 19, and 20 in a similar manner to that discussed above.

As explained above, none of the cited references, either alone or in combination, disclose or suggest these claimed features.

Therefore, it is respectfully submitted that Claims 11-26 are patentable over the cited references, and it is requested that this rejection be withdrawn.

#### Claims 36-39

The Examiner also rejects Claims 36-39 under 35 USC §103(a) as being unpatentable over Peng (US 2004/0046495) in view of Shi. This rejection is also respectfully traversed.

While Applicants traverse this rejection, in order to advance the prosecution of this application, Applicants are amending independent Claim 36 to recite the features of “wherein both the first light emitting layer and the second light emitting layer comprises a complex of a Group 4 metal of the periodic table represented by the general formula [Formula 1],” and “wherein the metal complex represented by the general formula [Formula 1] in the first layer is a guest material and the metal complex represented by the general formula [Formula 1] in the second layer is a host material.”

Neither Peng nor Shi disclose or suggest that both the first and second light emitting layer comprises the metal complex, and that the metal complex of the first layer is a guest material and that of the second layer is a host material.

Therefore, it is respectfully submitted that Claims 36-39 are patentable over the cited references, and it is requested that this rejection be withdrawn.

Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date: June 8, 2007

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